

**ADULTS SCRUTINY COMMITTEE**  
**9 JANUARY 2024**

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**SOCIAL CARE REFORMS - UPDATE**

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**SUMMARY REPORT**

**Overview**

1. Since the last report (24 October 2023) the CQC inspection ratings for the 5 Local Authority pilot areas have been published.
2. In addition, there has been a delay for the reforms to the Mental Health Act.

**Update on the Key aspects of the CQC assurance framework**

3. CQC have published their local authority pilot assessments – they can be accessed via this link <https://www.cqc.org.uk/news/local-authority-assessments-implementing-our-new-approach>
4. Assessing how local authorities meet their duties under Part 1 of the Care Act (2014) is a new responsibility for CQC. During the pilots, they looked at 9 of the quality statements to assess how well each local authority is meeting its responsibilities. This enabled CQC to give an indicative rating:
  - (a) Birmingham City Council – indicative rating of good
  - (b) Lincolnshire County Council – indicative rating of good
  - (c) North Lincolnshire Council – indicative rating of good
  - (d) Nottingham City Council – indicative rating of requires improvement
  - (e) Suffolk County Council – indicative rating of good
5. CQC found some similar themes across all 5 local authorities. These included:
  - (a) Outcomes for people were better where there was good partnership working, including with voluntary and community partners as well as health partners.
  - (b) Integrated working around discharging people from hospital was working and had improved the flow out of hospitals.
  - (c) Staff tended to stay with a local authority when they felt valued, had learning and development opportunities, and where there was a positive culture.
6. There were different practices across the 5 local authorities in how they worked with young people who are transitioning from children's services to adult services, so young people's experiences were varied

7. CQC will be updated their guidance on how they will assess local authorities. CQC will publish this following government approval, as required by the Health and Care Act 2022.
8. CQC are now seeking approval from Government to move to commence the formal assessment of all 153 local authorities, they hope to start in December.

**Adult Social Care Position in relation to CQC inspection readiness:**

9. Our self assessment is in final draft in readiness for the CQC inspection. The self-assessment outlines our Darlington Borough Council's current position (November 2023) in relation to the completion of an objective, honest and authentic self-assessment of our Councils Adult Social Care Service strengths and areas for improvement. We recognise that undertaking this self-assessment is a valuable opportunity to focus improvement planning and delivery in a way that ensures local ownership.
10. We have focused on the CQC assessment framework themes, which in themselves reflect the requirements set out in Part One of the Care Act 2014 and other relevant legislation with the aim is that the self-assessment, will also meet the CQC "Local Authority Information Requirements" (LAIR) needs.
11. We have also used the baseline self-assessment we completed in 2022 to support our evidence building. In addition to this NE ADASS group commissioned Dr Carol Tozer to review our self-assessment and offer critical and objective analysis of our 2022 position.
12. The 2023 self-assessment aims to also add a demonstration our learning and improvement within the last year.
13. We are in a position where we confident we know ourselves; we know our strengths and we recognise our areas for development. This document will also describe how we aim to maintain this position and set out our actions in relation to improvements.

**Key aspects in the Delay in Mental Health Act reforms**

14. The King's Speech provides the UK government with an opportunity to highlight its upcoming priorities. It forms part of the State Opening of Parliament ceremony, which marks the start of the next parliamentary year.
15. Reforms to the Mental Health Act were a manifesto commitment in both 2017 and 2019 however the Mental Health Bill was not mentioned in King's Speech which means the legislation as outlined in the Mental health Act Bill 2021 will not be passed before the next General Election.
16. The key aspects of the proposed reforms are:
  - (a) Major reform of Mental Health Act will empower individuals detained under the Mental Health Act to have more control over their care and treatment.
  - (b) Reforms will deliver parity between mental and physical health services and put patients' views at the centre of their care.

- (c) Plan will tackle mental health inequalities including disproportionate detention of people from black, Asian and minority ethnic (BAME) communities, the use of the act to detain people with learning disabilities and autism, and improve care for patients within the criminal justice system.
17. A package of reforms has been set out in a wide-ranging new Reforming the Mental Health Act white paper, which builds on the recommendations made by Sir Simon Wessely's Independent Review of the Mental Health Act in 2018.
18. At the heart of the proposed reforms to the Mental Health Act is greater choice and autonomy for patients in a mental health crisis, ensuring the act's powers are used in the least restrictive way, that patients receive the care they need to help them recover and all patients are viewed and treated as individuals.
19. These reforms aim to tackle the racial disparities in mental health services, better meet the needs of people with learning disabilities and autism and ensure appropriate care for people with serious mental illness within the criminal justice system.

#### **Adult Social Care Position:**

20. We will continue to work closely with Health partners to ensure the people with mental health conditions are appropriately supported within the current legislative framework

#### **Recommendation**

21. It is recommended that Members of the Overview and Scrutiny Committee Scrutiny note the contents of the report.

**Joss Harbron**  
**Assistant Director Adult Social Care**

#### **Background Papers**

No background papers were used in the preparation of this report.

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| S17 Crime and Disorder           | There are no specific crime and disorder implications in this report.                    |
| Health and Wellbeing             | There are no issues relating to health and wellbeing which this report needs to address. |
| Carbon Impact and Climate Change | There are no specific carbon impact issues in this report.                               |
| Diversity                        | The report does not contain any proposals that impact on diversity issues.               |
| Wards Affected                   | All wards are affected.  |
| Groups Affected                  | No specific groups are particularly affected.  |
| Budget and Policy Framework      | This decision does not represent a change to the budget and policy framework.            |
| Key Decision                     | The report does not require a key decision.  |

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| Urgent Decision                                  | The report does not require an urgent decision.  |
| Council Plan                                     | The report contributes to the Council Plan in a number of ways through the involvement of Members in contributing to the delivery of the Plan. |
| Efficiency                                       | The report contains updated information regarding efficiency savings contained in the MTFP.  |
| Impact of Looked After Children and Care Leavers | This report has no impact on Looked After Children or Care Leavers   |

Joss Harbron: Assistant Director Adult Social Care